



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Michael O. Leavitt
Governor

Robert L. Morgan
Executive Director

Lowell P. Braxton
Division Director

6/6/03
Corrected copy of letter

June 5, 2003

CERTIFIED RETURN RECEIPT
7099 3400 0016 8896 2191

Ronald K. Stout
Stratton Construction, Inc.
1009 North 1700 East
St. George, Utah 84770

Re: Permit Application, Stratton Construction, Inc. Red Sandstone Quarry, M/053/073, Washington County, Utah

Dear Mr. Stout:

Thank you for your response received September 3, 2002 to our August 21, 2002² determination letter. While in St. George on April 2, 2003, we performed a brief follow-up inspection of the St. George Red Sandstone project area (inspection memo enclosed). The inspection was performed to confirm that mining operations were being conducted as described in your latest response letter.

You stated in the letter that only alluvial materials would be mined from the site and that no additional consolidated sandstone material would be mined at this time. You also stated that if certain disturbed areas were excluded that are contained within our initial 9.59 acre GPS survey area, namely those owned and operated by other parties and the areas that have only had alluvial materials removed, your operation would qualify as a five (5) acre small mining operation.

Based upon visual observations during our inspection, we had difficulty making a positive assessment to confirm your position. Because your operation does mine consolidated bedrock material for commercial sale, it falls under our regulatory jurisdiction. Accordingly, we request that you file the appropriate Notice of Intention (small or large mine) and receive our formal authorization to continue mining the consolidated sandstone material from the project area.

Insufficient supporting information was provided with your September 3, 2002 response to substantiate your position. Therefore, we request that within 45 days of your receipt of this letter, you provide the following supplemental information:

1. An accurately scaled and sufficiently detailed topographic contour map(s) that clearly outlines the total disturbed area(s) associated with this project. Specific disturbances contained within the total disturbance that are not your responsibility, or that are solely alluvial sources, must be

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Ronald K. Stout
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clearly outlined and labeled on the base map(s). Disturbed acreage figures for each area must also be included and labeled.

2. If appropriate, the base map must also outline the 5-acre area that has been and will continue to be used to mine the consolidated sandstone deposit. This would include those areas that have been, or will be, drilled and blasted into the consolidated sandstone deposit. *Access roads, stockpile and product storage areas, and overburden waste dumps associated with mining the consolidated deposit are considered part of the 5-acre area.*
3. An appropriate Notice of Intention to Commence Mining Operations (applications for small and large mine enclosed) must be completed and filed with the above requested mapping information. The appropriate notice will need to be filed and approved before any additional consolidated material is mined and removed from this site for commercial sale.

Upon receipt of these items, we will review the information under the Minerals Program Administrative Rules to determine if it satisfies our regulatory requirements. If additional information is necessary, we will advise you accordingly.

Once again, we thank you for your cooperation as we work together to ensure conformance with the requirements of the Utah Mined Land Reclamation Act. If you have any questions concerning this letter, please contact me at (801) 538-5286, or Doug Jensen at (801) 538-5382.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosure: MR-SMO & MR-LMO forms - 4/2/03 inf. memo
cc: John Blake, SITLA
Doug Jensen, DOGM
O:\M053-Washington\M0530073-redsandstone\final\LMO-req.doc



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April 15, 2003

TO: Minerals File

FROM: Doug Jensen, Senior Reclamation Engineer 

RE: Site Inspection, Ron Stout, Red Sandstone Quarry, M/053/073, Washington County, Utah

Date of Inspection: April 2, 2003
Time of Inspection: 10:30 a.m.
Conditions: Warm, Windy
Participants: Wayne Hedberg, Doug Jensen, DOGM

Purpose of Inspection:

While in the area, site visited to assess the extent of recent activity.

Getting to the site:

See February 3, 2003 inspection memo.

Observations:

Mining continues, the majority of the site is being impacted by this activity. Most of the excavation of material appears to be at the open face which faces Western Rock's yard, located to the south of the property. In order to reach the level of Western's yard, Mr. Stratton will to reduce the height of his site ~25 to 30 feet, this was the ultimate plan for this site.

Mr. Stratton indicated that material being removed from the Stout property had become mostly mudstone, which cannot be used for construction purposes. He indicated that because of this problem, rock removal at the site had slowed. He stated that they had also encountered a fairly large void in the center of the property which was causing problems.

Mining is also continuing on the site immediately southwest of this site. Clay Stratton, who was at the site at the time of the inspection, indicated that this property belongs to Rolling Rock.

Conclusions and Recommendations:

The Division is still awaiting a permit application from the operator of this site.

jb
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